

Message

From: Chin, Lucita [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=EA404E3F56574242AEE0811A07E309FC-CHIN, LUCITA]
Sent: 10/24/2016 1:44:55 PM
To: Minter, Douglas [Minter.Douglas@epa.gov]
Subject: RE: DB FOIA: Completion of Records Review

I am not sure. I will send an email to Mike and Alan.

Lucita Chin
Associate Regional Counsel
Environmental Protection Agency
1595 Wynkoop St.
Denver, CO 80202
Office: (303) 312-7832

From: Minter, Douglas
Sent: Monday, October 24, 2016 7:41 AM
To: Chin, Lucita <Chin.Lucita@epa.gov>
Subject: DB FOIA: Completion of Records Review

Ex. 5 AC/DP

Douglas

From: Chin, Lucita
Sent: Monday, October 24, 2016 6:50 AM
To: Minter, Douglas <Minter.Douglas@epa.gov>
Subject: RE: DB FOIA: Can we withhold this record?

Ex. 5 AC/DP

Lucita Chin
Associate Regional Counsel
Environmental Protection Agency
1595 Wynkoop St.
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From: Minter, Douglas
Sent: Friday, October 21, 2016 5:13 PM
To: Chin, Lucita <Chin.Lucita@epa.gov>
Subject: DB FOIA: Can we withhold this record?

Ex. 5 AC/DP

fyi

----- Forwarded by Kenneth Distler/R8/USEPA/US on 02/12/2013 03:41 PM -----

From: "Yilma, Haimanot" <Haimanot.Yilma@nrc.gov>
To: Kenneth Distler/R8/USEPA/US@EPA
Date: 02/12/2013 02:43 PM
Subject: Powertech's comments on the draft

Ken,

Thank you for coordinating the meeting with everyone today. Per our discussion just now, here is the comment we received from Powertech on the language we had in our draft regarding Subpart W. Let me know if you have any follow-up questions.

Powertech's comment:

p. 2-24, lines 1-11

While NRC staff have stayed out of the dispute between EPA and industry regarding the applicability of 40 CFR Part 61, Subpart W (unlike with Subparts I and T), the statements here appear to indicate that NRC staff conclude that an ISR operator will require a CAA permit under these regulations in order to operate. This statement should be deleted from the DSEIS, because it is inaccurate legally. The National Mining Association (NMA) already has provided EPA with a detailed legal memorandum showing that the current EPA interpretation of these regulations is incorrect legally. In any event, if NRC chooses not to engage with EPA regarding its unnecessary, duplicative requirements, at least the DSEIS should refrain from using statements that lend undue credence to EPA's current position that such regulations apply to ponds at ISR facilities.

Thanks

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